Notice of Allowability	Application No.	Applicant(s)	
	09/890,487	GALVIN, KEVIN PA	ATRICK (
	Examiner	Art Unit	
	Matthew J Kohner	3653	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.			
1. This communication is responsive to <u>Amendment of 6/1/04</u> .			
2. The allowed claim(s) is/are 1,3 and 5-12.			
3. The drawings filed on are accepted by the Examiner.			
<ul> <li>4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).</li> <li>a)  All b)  Some* c) None of the:</li> <li>1.  Certified copies of the priority documents have been received.</li> <li>2.  Certified copies of the priority documents have been received in Application No</li> <li>3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).</li> <li>* Certified copies not received:</li> </ul>			
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.			
5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.			
<ul> <li>6.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.</li> <li>(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached</li> <li>1)  hereto or 2)  to Paper No./Mail Date</li> <li>(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date</li> <li>Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).</li> <li>7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the</li> </ul>			
attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.			
Attachment(s)  1. Notice of References Cited (PTO-892)  2. Notice of Draftperson's Patent Drawing Review (PTO-948)  3. Information Disclosure Statements (PTO-1449 or PTO/SB/C Paper No./Mail Date  4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	6. Interview S Paper No. 7. Examiner's	oformal Patent Application (PToummary (PTO-413), /Mail Date - Amendment/Comment - Statement of Reasons for Alk -	,

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**Drawings** 

The drawing correction (the addition of the Prior Art label) of March 11, 2003 was

approved. Therefore, applicant must submit a replacement drawing sheet. Examiner notes that

under 37 CFR 1.121(d) the replacement drawing sheet must include a label in the header which

designates it as a replacement drawing sheet.

**REASONS FOR ALLOWANCE** 

The following is an examiner's statement of reasons for allowance:

Applicant has amended the claims to define over the prior art of record. Therefore, the

applicant is now in condition for allowance.

Any comments considered necessary by applicant must be submitted no later than the

payment of the issue fee and, to avoid processing delays, should preferably accompany the issue

fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for

Allowance."

Allowable Subject Matter

Claims 1, 3 and 5-12 are allowed.

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## Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew J. Kohner whose telephone number is 703-305-8496. The examiner can normally be reached on Mon-Fri 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh can be reached on 703-306-4173. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Matthew J. Kohner

Examiner

Art Unit 3653

mjk

SUPERVISORY PATENT EXAMINER

TECHNOLOGY CENTER 3600